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MINUTES

Brookings County Planning and Zoning Commission
September 7, 2004
Brookings County Resource Center

Chairman Mike Olson called the meeting to order at 8:00 P.M. Members present were Mike Olson, Emil Klavetter, Darrell Nelson, Layne Saathoff, Mary Kidwiler, Duane Knutson, Randy Jensen, Darrel Kleinjan and Bob Rochel.

Olson started the meeting by welcoming Mary Kidwiler the new Planning Commissioner for District III.

Be it noted that all votes are done by roll call.

Motion by Klavetter, seconded by Nelson, to approve the minutes from the meeting held on 08/03/04. In favor 9. Opposed 0. Motion carried.

Motion by Knutson, seconded by Rochel, to adopt the agenda with the following additions: two plats for recording purposes, a discussion with Krystal Sunshine, input from the zoning board to the county commission about appointing alternates. In favor 9. Opposed 0. Motion carried.

Joel Edman has made an application to the Brookings County Board of Adjustment for an after the fact variance. Density, Area and Yard Regulations: (Lake Front) The minimum lake side yard shall be 75'. The property is described as Lot 39 of Section 7, T111, R51W (Oakwood Township). Edman had put a 24' x 16' deck onto his lake cabin without a variance or a building permit. He has paid the late fees and needs a variance for a 40' lakeside yard. He stated that he is still lined up with the other neighbors. The board had no further questions. Bill Sampson whose parents live next door was present and said that there were no complaints from the adjoining landowners. Motion by Nelson, seconded by Kleinjan to approve the motion. In favor 9. Opposed 0. Motion carried.

Joel Edman has made an application to the Brookings County Board of Adjustment for a variance. Density, Area and Yard Regulations: (Lake Front) The minimum lake side yard shall be 75'. The property is described as Lot 39 of Section 7, T111, R51W (Oakwood Township). Edman was present and stated that he would like to add a 24' x 24' addition to the side of his existing cabin. He would be one foot closer to the lake than the existing cabin and three feet closer to the road. The addition would be two levels with a walkout basement. Edman would need a variance for the lakeside yard setback. There were no concerns from the public or the board. Motion by Jensen, seconded by Saathoff to approve the motion. In favor 9. Opposed 0. Motion carried.

Scott Narragon made an application to the Brookings County Board of Adjustment for a special exception. Special Exception #6: Contractors shops & yards. The property is described as S 200' of W½ SW¼ NW¼ of Section 14, T109N, R50W (Medary Township). Motion by Kleinjan, to bring the item off the table, seconded by Knutson. In favor 9. Opposed 0. Motion carried. Narragon was present to request permission to house his materials for his masonry business. Presently there are materials standing alone in the future Narragon would like to put up a 50' x 60' building in which to store the materials. Paul Melby from the Brookings Municipal Utilities who had concerns from last month stated that he had talked with Narragon and liked what he had to say, but he would still like to see a master plan and a time line. Melby would like a performance bond set. Klavetter stated the county has never done a performance bond and sees no need for one here. Narragon discussed setbacks, weeds, his timeline, electricity and sewer. The board told Narragon that the current temporary buildings on the lot need to be moved to meet the 25' side yard setback. There was a motion by Klavetter to approve action on the special exception with a letter of assurances in place, seconded by Rochel. In favor 9. Opposed 0. Motion carried.

Manuel and Wanda Ramlo have made an application to the Brookings County Board of Adjustment to rezone, from Agricultural District to Lake Park District, Lot 16 of Ramlo Shores Subdivision located in E ½ NW ¼ & Gov't Lots 3 and 4, Section 21, T112N, R47W (Lake Hendricks Township). The Ramlos' rezone lots as they got them sold at Lake Hendricks and this is that same situation. There was one adjoining land owner with no concerns. There were no concerns from the board or the public. Motion by Nelson, seconded by Saathoff to approve the motion. In favor 9. Opposed 0. Motion carried.

Paul & Lois Tande have made an application to the Brookings County Board of Adjustment to rezone, from Natural Resources District to Lake Park District, Lot 1A of Walters Oakwood West Addition to the County of Brookings, N ½ SW ¼ Government Lot 1 and 2, Section 36, T112N, R52W, of the 5th P.M. The only

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concern was from Knutson, with the possibility of having 7 cabins later if they divide up the land and sell. Knutson stated that this was one of the lakes they did not want to develop. Paul Tande stated that they would eventually put up a garage since the cabin does not currently have one, but they have no desire of dividing the land and selling it.

There were no concerns from the public. Motion by Rochel, seconded by Jensen to approve the motion. In favor 9. Opposed 0. Motion carried.

Rick Brake has made an application to the Brookings County Board of Adjustment for a variance. Density, Area and Yard Regulations: (Lake Front) The minimum lake side yard shall be 75' and the minimum front yard shall be 25'. The property is described as Lots 50 & 51 of First Addition Lake Poinsett Heights in Government Lot 2, of Section 5, T112, R52W (Laketon Township). Brake has bought the lot right next to his current and would like to build his home in the middle. He would like to reduce the front yard setback from 25' to 13' and be 40' from the high water mark. Motion by Knutson, seconded by Nelson to approve the motion. In favor 9. Opposed 0. Motion carried.

Warren Thompson has made an application to the Brookings County Board of Adjustment for an after the fact variance. Area Regulations #7a: Where a second single family home is requested on an established farmstead, so long as it is immediately connected to the existing farming operation. The property is described as SW¼ Exc S 282' of W 210' of Section 26, T111N, R49W (Afton Township). There was nobody present to speak on behalf of Warren Thompson. Motion by Knutson, seconded by Saathoff to table the motion until somebody arrives to speak on the issue. In favor 9. Opposed 0. Motion tabled.

Scott Snoozy has made an application to the Brookings County Board of Adjustment for a variance. Density, Area and Yard Regulations: (Lake Front) The minimum lake side yard shall be 75' and the minimum front yard shall be 25'. The property is described as Lot 6 and W½ of lot 7, Marvin Wade 2nd Subdivision, SE ¼ of Section 6, T112, R52W (Laketon Township). Snoozy has removed a 1973 trailer and would like to replace it with a newer used home. Snoozy had all the signatures from adjoining land owners. He needs a variance to be 50' back from the high water mark. Motion by Kidwiler, seconded by Kleinjan to approve the motion. In favor 9. Opposed 0. Motion carried.

Petition for Reopening of Hearing. RE: The Application of Kloosterman Dairy. The board was petitioned by a lawyer and the Kloostermans' to reopen the application. A copy of the letter was given to Wm. Kratochivil and he wrote a response which was read by Olson. The board decided if there was new significant information they could hear the item. There was no new information provided at this time. The petition died for lack of a motion.

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There was a motion by Klavetter, seconded by Knutson to take Warren Thompson's application off the table. In favor 9. Opposed 0. Motion carried. There was still nobody present to speak on the issue. Motion by Klavetter, seconded by Jensen to table the motion until the next meeting. In favor 9. Opposed 0. Motion tabled.

The Chairman then declared the business of the Board of Adjustment concluded and the board then convened as Planning and Zoning Commission.

Plat of Lot 16 of Ramlo Shores Subdivision in Government Lot 3 Section 21, T112N, R47W of the 5th P.M., Brookings County, SD. The plat is for recording purposes only.

Motion by Nelson, seconded by Saathoff to approve the motion. In favor 9. Opposed 0. Motion carried.

Plat of Lots 40A and 41A of DeBoer's Lake Tetonkaha West Subdivision in Government Lots 4 and 5 in Section 7, T111N, R51W of the 5th P.M., Brookings County, SD. There was some confusion, there was a court order that the plat be recorded. Motion by Saathoff, seconded by Kidwiler to table the motion until there is more information. In favor 8. Opposed . Motion tabled. Nelson was the no vote.

Plat of East Lawdell Bay Addition an Addition in Government Lot 3 of Section 22, T112N, R47W of the 5th P.M., Brookings County, SD. The plat had previously been passed for recording purposes but was missing a couple signatures and a marking. The plat had to be redone from the beginning for recording purposes. Motion by Saathoff, seconded by Kleinjan to approve the motion. In favor 9. Opposed 0. Motion carried.

Plat of Elverud Homestead Addition in the NE ¼ of Section 21, T109N, R51W of the 5th PM Brookings County, South Dakota. Motion made by Saathoff, seconded by Knutson, to approve the plat for recording purposes. In favor 9. Opposed 0. Motion carried.

Motion by Saathoff, seconded by Knutson to bring the DeBoer plat off the table. In favor 9. Opposed 0. Bob Hill had called Jon Gustafson and explained to the board that the court order stated that the DeBoer's had ten more feet of property than originally platted. This plat needed to be recorded to replace the previous plat. Motion by Knutson, seconded by Nelson to approve the motion. In favor 8. Opposed 1. Motion carried. Saathoff was the no vote.

There was discussion among the board members about appointing alternates to serve on the board. The county commission was asked to appoint alternates and

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wanted to get the feelings of the current board members. The board discusses both the positives and negatives of alternates and decided that they felt at this time they were not necessary. Klavetter will report to the County Commission.

Bob Hill gave the director's report. He commented on the events and happenings in the zoning office over the last month. He also distributed building permit reports for the previous month to the commissioners.

Motion by Klavetter, seconded by Knutson, to adjourn the meeting at 10:45 P.M. In favor 9. Opposed 0. Meeting adjourned.